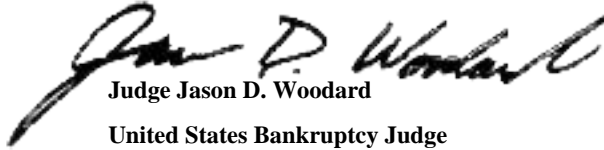

SO ORDERED,




Judge Jason D. Woodard
United States Bankruptcy Judge

The Order of the Court is set forth below. The case docket reflects the date entered.

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI

In re:)	
)	
MARGARET B. HALL,)	Case No.: 20-12866-JDW
)	
Debtor.)	Chapter 7

COMMUNITY BANK OF)	
MISSISSIPPI,)	
)	
Plaintiff.)	
)	
v.)	A.P. No.: 20-01059-JDW
)	
LOANCARE, LLC;)	
MARGARET B. HALL; and,)	
WILLIAM L. FAVA,)	
)	
Defendants.)	

ORDER HOLDING MOTION FOR ENTRY OF DEFAULT JUDGMENT IN
ABEYANCE (A.P. Dkt. # 17)

This matter came before the Court on the *Motion for Entry of Default Judgment* (the “Motion”) (A.P. Dkt. # 17) filed by Jeff D. Rawlings, counsel for Community Bank of Mississippi (the “Plaintiff”) against Defendants LoanCare, LLC, Margaret B. Hall, and William L. Fava on January 19, 2021. The Plaintiff’s Complaint was filed against the Defaulted Defendants and

against LoanCare, LLC (the “Responding Defendant”), seeking a judgment to declare the Plaintiff’s lien superior to the Responding Defendant’s (A.P. Dkt. # 1). The Responding Defendant has filed an answer to the Complaint (A.P. Dkt. # 9), but a Clerk’s Default has been entered against the Defaulted Defendants for their failure to answer or otherwise defend in this case (A.P. Dkt. # 15).

In the Motion, the Plaintiff requests a default judgment against the Defaulted Defendants. Entitlement to that relief against the Defaulted Defendants is necessarily intertwined with whether the Plaintiff prevails on its claims against the Responding Defendant. It would be inappropriate and prejudicial to the Responding Defendant to enter the default judgment against the Defaulted Defendants before the resolution of the Plaintiff’s claims against the Responding Defendant. *See Buckley v. Epps*, 2012 WL 777327 at *2 (N.D. Miss. 2012) (applying *Frow v. De La Varga*, 82 U.S. 552 (1872)). Notwithstanding the delay in entry of the default judgment, the Defaulted Defendants are no longer entitled to service of notices and may not appear in this case in any way. *Frow*, 82 U.S. at 554. Accordingly, it is hereby

ORDERED, ADJUDGED, and DECREED that the Plaintiff’s Motion (A.P. Dkt. # 17) shall be **HELD IN ABEYANCE** pending the final resolution of the Plaintiff’s action against the Responding Defendant herein.

##END OF ORDER##